

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

TYCO FIRE PRODUCTS LP, v. AIU INSURANCE COMPANY, <i>et al.</i> <i>Defendants.</i>	<i>Plaintiff,</i>
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Civil Action No. 2:23-cv-02384-RMG
Hon. Richard M. Gergel

ORDER

Upon the Joint Motion (Dkt. No. 265) to Dismiss Certain Zurich Insurers by Plaintiff Tyco Fire Products LP (“Tyco”), and Defendants American Guarantee and Liability Insurance Company, American Zurich Insurance Company, and Zurich American Insurance Company (“Certain Zurich Insurers”),¹ it is hereby ORDERED that:

1. The Joint Motion to Dismiss Certain Zurich Insurers is GRANTED.
2. The claims by Tyco Fire Products LP against Defendants American Guarantee and Liability Insurance Company, American Zurich Insurance Company, and Zurich American Insurance Company in this action are DISMISSED WITH PREJUDICE, EXCEPT that this Order does not apply to or disturb the claims by Tyco Fire Products LP against Zurich American

¹ 1 The Certain Zurich Insurers do not include, and this Order does not apply to, Zurich American Insurance Company (“ZAIC”) in its capacity as successor-in-interest to certain underwriting companies, including but not limited to Zurich Insurance Company, U.S. Branch, which is responsible for Policy No. 89 35 351 and a certain other policy allegedly issued in 1979, in respect to which ZAIC is represented by separate counsel from Certain Zurich Insurers.

Insurance Company (“ZAIC”) as defined in Footnote 1 of this Order, which remain pending in this action.

3. Defendant American Guarantee and Liability Insurance Company and Defendant American Zurich Insurance Company are accordingly DISMISSED from this action; and Defendant Zurich American Insurance Company is DISMISSED from this action EXCEPT in its capacity as successor-in-interest to certain underwriting companies as defined in Footnote 1 of this Order.

AND IT IS SO ORDERED.

s/Richard Mark Gergel
Richard Mark Gergel
United States District Court

April 9, 2024

Charleston, South Carolina